

SERIOUS WRECKS.

A Train on the Northwestern Road Goes Through a Bridge at Kansas City, Kan.—Bad Wreck on a Texas Road—Fatal Explosion at Reading, Pa.

KANSAS CITY, Mo., Nov. 17.—Freight train No. 104 of the Kansas City, Wyandotte & Northwestern railway, due here at 6:25 o'clock this morning, lies at the bottom of the Kaw river.

At 6:15 this morning the train arrived at the Garrett street station, Kansas City, Kan., and pulled out for the Wood street station on this side of the river. In crossing the bridge at the mouth of the Kaw, the iron beams under the track of the middle span suddenly gave way and the engine and five cars went down into the river.

The train was moving at the rate of five miles an hour and the engine had almost reached the south end of the middle span when the accident occurred.

Aboard the engine were Engineer Christian Patch, Fireman Fred Allen and Head Brakeman Thomas Mulligan. The engine was the first to reach the water, thirty-one feet below the bridge, and on top of it piled a carload of hogs, a car of milling machinery and the caboose.

The depth of the water is fifteen feet, with at least five feet of soft mud at the bottom.

In the caboose were Conductor Pickney Herod, Brakeman D. T. Whitlatch and S. V. Smith; a stockman from Latham, Kan., and owner of the carload of hogs and the car of mill machinery.

The only portion of the train that is visible above the surface of the water is a part of one of the driving wheels of the engine and a little of the boiler; one end of the car of corn and the greater part of the caboose, which stands on end, resting on the carload of hogs.

The carload of machinery and the car of hogs were buried under the surface of the water at least three feet. There were sixty hogs in the car, all of which were drowned but two.

H. Coleman, L. Latimore and a dozen other colored men, employed in Armour's packing house, were aboard the box cars talking a free ride across the river to go to work. Latimore, a few minutes after the accident, was rescued. Moore's dead body was taken from the bottom of the river four hours later.

Engineer Patch, Fireman Allen and Brakeman Mulligan went to the bottom of the river with the engine. The first and last had an almost miraculous escape from death, while the body of Allen yet lies beneath the wreck. Patch and Mulligan crawled out of the engine cab and were standing on the engine in water waist deep when picked up by John Taylor and Daniel Young, employees of the Kansas City Waterworks Company, who hastened from the waterworks plant near by and reached the wreck with a boat.

There is a difference of opinion as to how the accident occurred. The trainmen claim that the bridge suddenly gave way. General Manager Summerfield and Trainmaster Johnson give it as their opinion that the engine or some of the cars first left the track and that some of the ties were shoved off the beams.

The injured are: Christian Patch, engineer, 2040 North Third street, Kansas City, Kan., cuts and bruises on left leg, jaw fractured and cut across forehead.

Thomas Mulligan, head brakeman, Lawrence, Kan., bruises about body and legs; cut across forehead.

S. V. Smith, Latham, Kan., stockman, badly bruised about the body and legs.

L. Latimore, colored, Kansas City, Kan., three ribs broken.

Pickney Herod, conductor, Kansas City, Kan., slightly bruised.

D. T. Whitlatch, brakeman, Kansas City, Kan., slightly bruised.

A TEXAS WRECK.

SAN ANTONIO, Tex., Nov. 18.—Owing to a misunderstanding of train dispatchers' orders a disastrous wreck occurred on the International & Great Northern railroad thirty miles north of this city. The engine of the pay car, which was running at the rate of fifty miles an hour, dashed into the rear of the south bound passenger train and the latter was in the act of taking the side track at Kyle. The two rear coaches were completely demolished and thrown upside down in the ditch.

There were thirty-two passengers seriously injured, the following named probably fatally:

George Warner, real estate agent, Austin, skull fractured.

Judge W. D. Wood, San Marcos, Tex., head badly cut and internal injuries.

W. Z. Lewis, commercial traveler, Chicago, head cut and internal injuries.

E. F. Johnson, merchant, San Antonio, cut in head and badly bruised.

Mrs. Murdy, actress, New York, fatally injured internally.

Norman Hopkins, San Marcos, arms broken, badly bruised.

W. R. Seinoack, Austin, seriously cut.

FATAL BOILER EXPLOSION.

READING, Pa., Nov. 18.—A terrible accident took place at Meritstown, this county, at 7 o'clock this morning, which resulted in the death of three men, and serious injuries to five others. While the employees of Edward Trexler's stove factory were preparing to start work for the day and the engineer was getting up steam in the boilers, one of the large boilers exploded. The building was completely wrecked and Henry Epler, aged 31; Samsam Hilbert, aged 25, and Charles Oswald, aged 45, were instantly killed. Among the more seriously injured are Samuel Epler, Frederick DeLong, Albert Reppert, James Bauscher and Charles Hilbert.

THE ARMY.

Annual Report of the Secretary of War—Beneficial Effect of Late Laws—The Subject of Coast Defenses Considered.

WASHINGTON, Nov. 18.—The annual report of the secretary of War has been made public, and is of more than usual interest to the army.

Of the recent act of Congress relating to lineal promotion and examinations for promotions, the Secretary says:

"The operation of the law is postponed in the case of present First Lieutenants only. Whatever advantages there might have been in the old system of lineal promotion, they were such as would prevail in a large army rather than in a small one and in war than in time of peace. On their present basis it certainly could not increase the esprit de corps of individual regiments. The change is no eminently just to officers and is fittingly inaugurated in connection with its companion measure in the same act. That measure provides for a system of examination for all officers of the army below the rank of Major, and makes their right to promotion conditional on them. There are exceptional provisions, however, in the latter acts of officers who came in from the volunteer service. The measure as a whole is one of great importance to the efficiency and high professional standing of the officers of the army. Although in keeping with the practice of all the great European powers, it is thoroughly American in theory, being based on a recognition of merit and capability. Heretofore officers have been entitled to promotion in regular rotation, without any regard to competence or incompetence, efficiency or inefficiency.

Under the head of courts martial the Secretary says: "By the act of April 11 the time within which a person can be prosecuted for desertion has been limited to two years. The act of October 1, instituting summary courts for the trial of certain petty offenses, provides a prompt and very satisfactory method for the adjustment of such matters. It will tend to save the soldier from a long protracted confinement in the guard house and relieve the investigation of his case from the cumbersome machinery of a formal court martial. The interests of the accused are carefully guarded by the terms of the law, and the right is especially reserved to him to demand and receive a trial before a court martial if he so desires. The ill-defined limits of punishment in the articles of war have been corrected by the act of September 27, authorizing the President when punishments are left by those articles to the discretion of the court martial, to prescribe and define limits which in time of peace they shall not exceed. As thirty-two of the thirty-four articles of war, under which enlisted men can be tried, leave the punishment entirely to the discretion of the court martial, the only check heretofore upon their variable and the disparity of punishment prevailing in different departments has been the executive clemency. It has been the aim of the department, by a system of remission of sentences, to induce excessive, to partially remedy the ground of its imperativeness, since it tended to impair one of the most salutary elements of all punishment, its certainty, and to pervert the proper use of the pardoning power. The act places the whole subject upon a very proper and satisfactory basis. It may be interesting to note that, although the legislation referred to was enacted so late to have had effect during the present year, still the number of courts martial was reduced to 1,382 the past year from 1,591 the year before, a decrease of 21 or 11 per cent.

The subject of coast defense receives from the Secretary a large share of attention. He says: "It has been our traditional policy from the first to avoid entangling alliances. We are separated by an ocean from the Powers which maintain great armies. The military resources of the Nation have been so recently demonstrated and the work of railroads has adapted to rapid mobilization of troops, that any threat of a hostile or risky attack upon our own coast upon our shores could not hope for success. It is not probable that a large one will in the future. We have, therefore, little to fear from invasion and are free from the necessity of maintaining large standing armies or of living against land attacks. But our long coast is a peculiar liability. An enemy can reach it by sea, and our coast is so vulnerable that it is with our eyes upon it. To our land forces they may inflict blows which we are unable to retaliate and which may cause us to be encircled. A modern and battery constitutes a permanent defense upon a battlefield, chosen in advance, where no flank is possible and where an enemy must force his way. A band of the attack. In such a contest ships of war are placed under every disadvantage. The channel is selected where their deployment is difficult, while they are at the center of a concentrated fire from many dispersed guns."

He suggests \$10,000,000 per year as ample to prepare the coast in ten years.

The question of desertion so much discussed through out the public press within the past year the Secretary deals with at length. He says: "The number of desertions from the army for the past twelve months ending September 30, were 2,085, as against 4,781 for the same period last year, a decrease of 56.1 per cent. This result is due to such improvements in the service as could be accomplished under existing legislation. The act of Congress entitled, 'An act to prevent desertions, and for other purposes,' approved June 15, 1891, was passed too late to have had much effect up to this date. Because of the time required to work out its details, the general orders to carry it into operation were not issued till July 26, and could hardly become fully effective at once. The figures, however, for August and September were 204, as compared with 419 the same months last year and 1,515 the year before, a decrease of 33 and 68 per cent."

The expenditures of appropriations under the direction of the Secretary of War for the fiscal year ended June 30, 1890, were as follows:

Salaries and contingent expenses \$1,940,700.74
Military establishment; support of the army and military academy 23,961,909.91
Public works, including river and harbor improvements 15,827,785.41
Miscellaneous objects 6,771,980.11

Total \$47,571,766.42

The appropriations for the present fiscal year, ending June 30, 1891, are as follows:

Salaries and contingent expenses \$2,157,793.25
Military establishment; support of the army and military academy 24,544,696.90
Public works, including river and harbor improvements 15,779,284.91
Miscellaneous objects 6,244,181.22

Total \$48,786,860.48

The estimates for the department for the next fiscal year ending June 30, 1892, are as follows:

Salaries and contingent expenses \$2,274,400.00
Military establishment; support of the army and military academy 25,160,591.77
Public works, including river and harbor improvements 15,779,284.91
Miscellaneous objects 6,244,181.22

Total \$49,458,467.90

THE NATION'S CASH.

The Treasurer's Annual Report—National Bank Circulation and Other Financial Matters—A Satisfactory Showing.

WASHINGTON, Nov. 18.—The Treasurer of the United States, Hon. James N. Huston, has submitted to Secretary Windom the report on operations and conditions of the Treasury for the fiscal year ended June 30. The net ordinary revenue amounted to \$40,082,963, a sum but twice exceeded in the history of the Government. The increase over the year before was \$10,000,000, of which \$11,748,191 came from the internal revenue. The ordinary expenditures were \$37,735,456, an increase of \$15,769,871 over those of the year before. The growth of the revenue was therefore a little greater than that of the expenditures and there would have been a falling off in the latter but for the increase in the pensions. The surplus revenues were \$10,344,491, of which \$20,801,224 was paid out in premiums on bonds purchased.

According to the warrants, the receipts of the Post-office Department were \$61,105,011 and the expenditures \$67,011,461, an increase of between \$5,000,000 and \$6,000,000 on both sides.

At the close of business June 30, 1890, there stood charged to the Treasurer on the books of the department the sum of \$73,899,115. To this were added the receipts of the year from the revenues, and on account of the public, amounting in all to \$648,573,354, so that the aggregate for which he was accountable during the year was \$722,472,469. Of this he disbursed \$59,747,538 on warrants of the department, leaving \$662,724,931 in his charge on June 30, 1890. There is included in these accounts, however, upward of 28,000,000 on deposit with the States under an old law, besides nearly a million and a half of unavailable funds, for which the Treasurer was not responsible. On the other hand there was on deposit with him for various purposes a large sum of which the department took no account, and he had received other sums which had not yet been charged to him. The true amount for which he was accountable on June 30, 1890, was \$69,618,571, and \$57,915,578 a year later, against which he held like amount of assets consisting of gold, silver, paper currency and deposits with National banks. The amount of gold in the Treasury increased during the year from \$305,387,719 to \$329,333,141 and the silver from \$41,100,779 to \$316,819,008.

Exclusive of amounts on deposit there was in the Treasury belonging to the Government on June 30, 1889, \$3,250,827 and on June 30, 1890, \$286,381,815, the amount of gold having increased about \$4,000,000, while the silver decreased nearly 39,000,000. The liabilities decreased during the year from \$127,551,883 to \$172,718, and the reserve, being in excess of assets over liabilities, ran down from \$98,572,047 to \$13,207,977. The difficulties in the way of making a plain statement of the liabilities of the Treasury and of the public debt are pointed out and the changes recently made in the debt statement explained. The total obligations of the Treasury on all accounts were \$1,819,678,475 on June 30, 1889, and \$1,722,241,163 on June 30, 1890. The debt less cash in the Treasury was \$1,590,843,604 on the former date and was \$964,322,084 on the latter. Not counting the certificates of deposit, the proper debt, in the shape of bonds and circulation notes, was reduced from \$1,255,044,186 to \$1,145,430,986. This was effected at a total cost of \$124,652,248 for principal and premiums. Nearly \$74,000,000 of 4 per cent. bonds were purchased.

Important changes took place in the circulating medium, but they were of a more favorable character than those of the year before. There was a gain of \$15,000,000 in gold, an increase of \$18,000,000 in that of silver, and a contraction of \$26,000,000 in the volume of bank notes, resulting in a net increase of \$32,000,000 in the aggregate supply of money.

In view of the prominence which the money circulation and the relations of the Treasury thereto have assumed in public discussion the Treasurer thinks the time opportune for presenting information of a kind to throw light on the subject. Accordingly he explains with care the effect which the operations of the Treasury have upon the circulating medium, how the stock in the country is ascertained, and how the amounts of the several kinds of currency in the hands or control of the people are arrived at. He gives voluminous tables, extending over the last thirteen years, which show the issues, redemptions and amounts of the standing of each kind of United States currency; denominations, the total volume of each denomination outstanding at the end of each year; the amounts in the Treasury and circulation at the end of each month; the estimated stock of gold and silver in the country at the end of each year to 1893, and at the end of each quarter thereafter, and finally the amounts of each and all held in the Treasury or estimated to be in circulation at the same periods. Not much change has taken place in the movement of the United States notes. There was a decline of activity in the issue and redemption of gold certificates, with a net increase of only \$5,000,000 in the amount standing. The handlings were most of the large denominations, which are used in the collection of customs and the settlement of clearing house balances in New York. The absorption of legal tender silver into the circulation, in the form of the certificate of deposit, has been fully up to the amount of the Treasury for supply.

On June 30 there were nearly \$7,000,000 of uncurrent gold and silver coins in the Treasury, besides \$6,700,000 at San Francisco which is a much worse. The appropriation of \$20,000 for the year will serve for the redemption of only about 145,000 of silver. Counterfeit notes representing an aggregate value of \$3,479 were presented at the office, an increase of \$2,200 over the year before. There were rejected \$3,846 spurious silver coins, of which the greater part were dollars.

There was a decrease of less than \$5,000,000 in the bonds held on deposit to secure National bank circulation. Seventy-three banks were discontinued as depositories and eight new ones were designated.

Some important changes occurred in the Pacific railroad sinking funds and the Indian trust fund. The redemption of bank notes amounted to nearly \$70,000,000, a decrease of upwards of \$18,000,000 as compared with the year before. Owing chiefly to the lower prices ruling for bonds, the deposits for the retirement of National bank notes amounted to only \$11,000,000. By the act of July 11, 1890, these deposits, to other with the balance of them remaining in the Treasurer's hands, were required to be covered into the Treasury and the amount of outstanding bank notes to be reported each month as debt of the United States bearing no interest. The work of receiving these deposits and redeeming the notes out of them has been done heretofore with out accountability to the department. The total amount of money received in the deposits, to which July 31 last, was nearly \$79,000,000, of which \$404,000,000 were paid out in redemption of notes and upwards of \$20,000,000 was refunded or transferred. The balance on hand, amounting to \$54,388,475, was deposited in the Treasury by the Treasurer's check. The Treasurer suggests that as he is a bonded official he should be allowed to select his own force of clerks, without the restriction of the civil service law, while the law might govern as regards general duties.

KANSAS THANKSGIVING.

Proclamation of Governor Humphrey Setting Apart the Established Day.

TOPEKA, Kan., Nov. 18.—The proclamation appointing Thursday, November 27, for Thanksgiving day has been issued by Governor Humphrey as follows:

The people of Kansas have abundant reason to feel thankful to Almighty God for His continued kindness during the year fast drawing to a close. Our beloved commonwealth has enjoyed immunity from war, pestilence and famine. Peace, health and a fair measure of prosperity in all the departments of labor have blessed us as a people by the grace and favor of Him whose power we recognize in all things.

Now, therefore, I, Lyman U. Humphrey, Governor of the State of Kansas, do hereby appoint and set apart Thursday, the 27th day of November, A. D. 1890, as a day of prayer and thanksgiving, to be observed as such. And I do most earnestly recommend that upon said day the people refrain from their usual avocations and meet in their several places of worship, there and in their homes, to join in praise and thanksgiving to the Creator for the blessings vouchsafed to us as a people, and invoke His continued favor and protection in the future.

I also enjoin upon all the people the duty, on that occasion, of remembering the sick, afflicted and unfortunate. Remember the destitute in your own communities, and be not forgetful of the brave pioneers in other sections of the State, whose labors have not been fruitful of a bounteous harvest, to the end that their hearts may be lightened and that they may join in the general thanksgiving to Him whose first command is charity.

In testimony whereof I have hereunto set my hand and caused the great seal of the State of Kansas to be affixed. Done at the city of Topeka, on this, the fifteenth day of November, in the year of Our Lord one thousand eight hundred and ninety.

By the Governor: LYMAN U. HUMPHREY, Secretary of State.

DESPODENT EX-POLICEMAN.

Love For the Widow Gilbert Impels Him to Commit Suicide.

KANSAS CITY, Kan., Nov. 18.—Because he was disappointed in love, Henry Jones, an ex-policeman of Kansas City, Kan., and a shoemaker by trade, took his life with a dose of morphine at 29 James street, at 11 o'clock last night. Up to a year ago Jones was on the Kansas City, Kan., police force, but for some reason was discharged, after which he went to Nevada, Mo., where he has worked at his trade.

Sunday he returned to Kansas City, Kan., and while there stopped at the home of Mrs. Mollie Gilbert, a widow, to whom he formerly paid considerable attention. His affections toward Mrs. Gilbert were not reciprocated, and in a fit of despondency he went to a drug store and purchased 25 cents worth of morphine, which he took in a glass of water about 7 o'clock last evening.

Knight of Aurora Reorganizes.

TOPEKA, Kan., Nov. 18.—About forty representatives of the Knights of Aurora of Kansas met in this city last night for the purpose of forming an independent organization. There was a preliminary meeting held at Lawrence October 10, and the present session is simply a continuation of it. The Knights of Aurora is a benefit insurance company with headquarters in Minneapolis. Charges of fraud were preferred against the officials, and an investigation was begun by the insurance Commissioner of Minnesota. These charges were not substantiated, but it was proven that the order had 2,300 members instead of 20,000 as was claimed. Of the 2,300 membership, 1,500 lived in Kansas, and it was decided to completely reorganize under a new name.

Lack of Lawyers.

TOPEKA, Kan., Nov. 18.—A rather perplexing problem will confront the Speaker of the next House of Representatives when he attempts to name the Judiciary Committee. This has, of course, always been composed of the best lawyers in the lower house, and last session there were fifteen members. This year there have been only four lawyers elected, and in one instance a lawyer will in all probability be ousted on a contest. The lawyers elected are: George L. Douglas, of Sedgewick; W. C. Webb, of Topeka; Joseph H. Rader, of Ellis, and W. E. Brown, of Newton. Rader was only elected by two majority, and it is charged that he openly purchased votes and an Alliance man is contesting his seat.

Plumbers in Session.

WICHITA, Kan., Nov. 18.—The meeting of the State Plumbers' Association was attended by forty-six members. The question of having plumbing inspectors appointed in each town according to a law empowering the mayor to make such appointment was discussed and left in the hands of a committee composed of Messrs. R. Prescott of Topeka, Tully of Leavenworth, Done of Lawrence and Allen of Eldorado. The association adjourned to meet in Kansas City, Kan., the second Monday in February.

Cider Banned.

LAWRENCE, Kan., Nov. 18.—The city order ordinance has been declared constitutional by the Supreme Court of the State. It provides that cider shall not be sold by the drink. The test case was that of the city vs. William Monroe. He was fined \$50 and costs in the police court. The case was appealed to the district court and from there to the Supreme Court. Monroe is now in the hands of the sheriff until the fine and costs are paid.

The Wine Cases.

LEAVENWORTH, Kan., Nov. 18.—Yesterday afternoon the police officers charged with stealing the wine of the Bandana Club for its banquet had a hearing before Justices White and Bowman, but the cases were not concluded.

BONDED DEBTS.

Census Report Showing Indebtedness of Certain Cities in Kansas.

WASHINGTON, Nov. 19.—The Census Office bulletin of the financial condition of municipalities shows Emporia and Larned to be the only cities in Kansas having resources in excess of debts. The bonded debt of twenty-seven municipalities in Kansas is \$3,139,623, an increase in ten years of \$33,144. Total debt, \$3,207,110, an increase in ten years of \$910,490. Sinking fund, \$25,384, an increase in ten years of \$6,974. Total available resources, \$555,261, an increase in ten years of \$44,045. Debt in excess of resources, \$2,940,138, an increase in ten years of \$754,734. Annual interest charge, \$176,691, an increase in ten years of \$59,169. The total interest charge has increased in ten years only 50 per cent.

The following table shows the exact financial condition of the above mentioned twenty-seven cities and towns:

	Total Debt, 1890.	Total Available Resources, 1890.	Annual Interest Charged, 1890.
Achison.....	\$ 630,553	\$ 82,648	\$ 22,941
Burlington.....	17,000	4,814	1,190
Cherryvale.....	18,000	4,814	860
Concordia.....	6,300	2,000	325
Eldorado.....	52,000	2,000	8,215
Emporia.....	5,490	250,000	546
Fort Scott.....	180,800	6,500	11,208
Girard.....	15,000	.....	1,020
Independence.....	94,900	.....	6,501
Junction City.....	68,000	.....	4,300
*Kingman.....	61,304	.....	3,839
*Leavenworth.....	552,000	85,011	89,892
Larned.....	12,000	15,788	720
Lawrence.....	227,300	35,911	11,574
Manhattan.....	85,000	.....	5,713
McPherson.....	74,000	4,736	4,310
Moran.....	824	.....	43
*Newton.....	90,680	12,000	5,251
*Olathe.....	44,491	3,906	2,463
*Osgo City.....	89,308	10,118	2,411
Oswego.....	27,400	4,299	1,511
*Stilwell.....	104,900	.....	6,437
*Parsons.....	82,500	.....	5,600
Salina.....	119,000	35,000	7,149
Topeka.....	272,400	3,609	21,769
Total.....	\$3,270,110	\$555,261	\$176,691

*The entire debt is bonded, save of the cities marked with an asterisk which have a floating debt as follows: Independence, \$1,164; Kingman, \$9,904; Newton, \$10,600; Olathe, \$2,991; Osgo City, \$2,849; Ottawa, \$14,878; Parsons, \$22,500.

THE KANSAS ELECTION.

Returns From Labelle and Logan Counties Increase Humphrey's Plurality—Kellogg's Vote Large But Ineffective.

TOPEKA, Kan., Nov. 19.—The returns from Labelle and Logan Counties have been received by Secretary of State Higgins and both contain surprises. The semi-official figures heretofore received from Labelle County gave Humphrey 2161 and Willits 2,831, a plurality of 670 for Willits.

The official figures, however, are: Humphrey 2,165; Willits 2,434—a change of 401 in Governor Humphrey's favor.

Logan County had not been heard from at all except that it gave a plurality for Humphrey. The State Central Committee had estimated it at 50 for Willits. Instead of that it gave Humphrey 308 and Willits only 137, a plurality of 231 for Humphrey. The vote on Governor, complete, is as follows: Humphrey, 115,124; Willits, 106,943; Robinson, 71,208; Richardson, 1,147; total, 294,432; Humphrey's plurality, 8,181.

The following is the total vote and the pluralities of the other candidates on the ticket: For Lieutenant-Governor, Felt, R., 120,062; Shinn, P. P., 115,553; plurality, 4,509. For Secretary of State, Higgins, R., 121,915; Osborne, P. P., 116,461; plurality, 4,554. For Auditor, Hovey, R., 121,171; Foster, P. P., 112,762; plurality, 8,409. For State Treasurer, Stover, R., 121,317; Biddle, P. P., 116,909; plurality, 4,417. For Superintendent of Public Instruction, Winans, R., 122,151; McCormick, P. P., 115,133; plurality, 7,019. For Chief Justice, A. H. Horton, R., 123,004; Rightmire, P. P., 116,736; plurality, 5,268. Attorney-General Kellogg led the Republican ticket, but fell under the combined opposition of the People's party and the Democracy. The vote was as follows: Ives, 169,189; Kellogg, 126,741; plurality, 42,448. It will be noticed that General Kellogg ran 11,617 votes ahead of Humphrey.

QUESTION OF PREFERENCES

Decision in the United States Circuit Court Concerning Assignments.

TOPEKA, Kan., Nov. 19.—Judge Foster, of the United States Circuit Court, has rendered an important decision in the attachment suit of Kahn, Schoenbraun & Co., of Chicago, against the Alma Coal Mining Company, involving the right of a creditor under the attachment to attach the property of a defendant domestic corporation, and further the right of an insolvent corporation, or one in a failing condition, to prefer creditors. The Alma Coal Mining Company was indebted in the months of August and September last about \$35,000. As a part of its assets it owned and operated a large general store at Alma. Being in sore financial straits it turned over the entire stock of goods, valued at \$29,000, to one Bailey in judgment of an indebtedness of \$17,000. Kahn, Schoenbraun & Co. brought suit and attached \$5,000 of the merchandise. A motion was made by the coal company to dissolve the attachment. The court held that the capital stock and assets of an insolvent corporation was a trust fund, and preference could be given to particular creditors. The case has excited widespread attention among large mercantile houses in the East. An important bearing of the case is that it upholds the doctrine that though voluntary preferences can not be given by an insolvent corporation on the ground that its assets are trust funds, yet, nevertheless, a creditor may secure a preference by process of attachment.